

REMARKS/ARGUMENTS

I. PRELIMINARY REMARKS

Claims 1-6, 9, 12, and 13 are pending in the application. Applicants thank the Examiner for the Office Action dated August 16, 2005. In the Office Action:

Claims 1 and 5 were provisionally rejected for statutory double patenting over claims 1 and 2 of copending Application No. 10/243,888;

Claims 2-4 were objected to as depending from a rejected base claim;

Claim 6 was allowed;

Claim 9 was provisionally rejected for obviousness-type double patenting over claim 9 of copending Application No. 10/243,888; and

Claims 12 and 13 were objected to as not including the limitation of “electrical circuitry . . .” recited in claim 6 from which those claims originally depended.

Applicants thank the Examiner for the indication that all claims contain allowable subject matter.

II. RESPONSE TO OFFICE ACTION

By this amendment, Applicants have amended objected-to claims 12 and 13 to include the subject matter of original claim 6 that was inadvertently omitted when rewriting those claims into independent form. Applicants thank the Examiner for the guidance provided in this regard.

Applicants also submit the Terminal Disclaimer required to overcome the obviousness-type double patenting rejection of claim 9.

Applicants further submit that the rejection of claims 1 and 5 for statutory double patenting has been obviated by the amendment dated August 8, 2005 in copending Application No. 10/243,888. For the Examiner’s reference that amendment changed claim 1 of that application to read as follows:

1. A versatile label dispenser system comprising:

a label sheet assembly feeding apparatus, for label sheet assemblies which have a release coated backing sheet, face stock with labels die cut through the face stock; and pressure sensitive adhesive between the face stock and the backing sheet; a peeling blade for separating the labels from the backing sheet;

a movable sweep bar for selectively deflecting the backing sheet over the peeling blade in a predetermined direction, with the labels partially separated from the backing sheet and extending ~~upward substantially vertically outwardly therefrom;~~

an input tray for holding a stack of label sheet assemblies directed downwardly toward the sheet feeding apparatus;

a decurling structure for bending the sheets in a direction opposite from said predetermined direction,

an output tray adjacent said input tray for receiving used substantially flat backing sheets;

said label sheet assemblies having machine readable coded information thereon ~~setting forth indicating the layout of labels on the label sheet assemblies; and~~

electrical circuitry for controlling said sheet feeding apparatus to advance said label sheet assemblies in accordance with information read from said coded information.

As can be seen by comparing claim 1 of the copending application to claim 1 of the instant application, the two claims are no longer coextensive. Dependent claim 5 is also therefore no longer coextensive with any claim of the copending application. Applicants therefore submit that the statutory double patenting rejection of claims 1 and 5 has been overcome and no further amendment to those claims is necessary. Applicants point out that, although a Terminal Disclaimer may nevertheless still be needed with respect to those claims, a Terminal Disclaimer is submitted herewith.

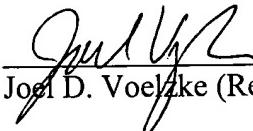
CONCLUSIONS

Applicants respectfully submit that all rejections and objections have now been overcome, and submit that all claims are now clearly in condition for allowance. Early notice of allowance is earnestly solicited. If a telephonic discussion would facilitate the prosecution of this application, the Examiner is invited to call the undersigned directly at (310) 590-4528.

Appl. No. 10/630,155
Attorney Docket No. 110-003 (previously 310048-769)
Amdt. dated August 20, 2005
Reply to Office Action of August 16, 2005

No fees are seen as being necessary in connection with this paper. However, if any additional fees are required in connection with this paper the Commissioner is hereby authorized to charge the fees to Deposit Account No. 50-3504.

Respectfully submitted,

Dated: August 22, 2005 By: 
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